

REMARKS

Claims 1-20 have been rejected by the Examiner under 35 USC 102(c) as being anticipated by Chiba, U.S. Patent 6,651,120. This rejection is respectfully traversed.

The present invention is directed to a method and apparatus for managing document data for eventual presentation to the user. In creating such a presentation, consideration is given to quantitative physical constraints associated with various stages of management, such as processing time, storage facility availability, capacity of a transfer facility, deadlines that may be set for certain results, quality of service, and the like, while at the same time maintaining system consistency while meeting a single control button requirement.

In the Examiner's response to the Applicants' arguments as provided in the final rejection, the Examiner noted that the references fail to show certain features of the Applicants' invention, that is, that the features are achieved automatically without user involvement and that the conversion measures are carried out by the system automatically, but the Examiner argued that these features were not recited in the rejected claims. The Examiner also argued that in independent claims 1 and 18, the Applicants claim "physically managing data/information that represents a document for eventual presentation to a user." The Examiner states that the feature of physically managing data is inconsistent with features of the present invention which are achieved automatically without user involvement or conversion measures carried out by the system automatically.

In an effort to clarify the issues raised by the Examiner on page 3 of the Office Action letter, an interview was conducted with the Examiner, Mr. Mahmood, and with Mr. Mahmood's supervisor, Primary Examiner Mr. Shahid Alam. During the interview with Mr. Alam, it was proposed to amend claims 1 and 18 to identify certain features of the present invention which are achieved automatically, without user involvement, including conversion measures carried out by the system automatically. During the interview we also clarified the use of the expression "physical management" which was explained to the Examiners as indicating the management of

data with respect to physical constraints in the system such as constraints on storage capacity, constraints of the communication channel and constraints on processing power of the system. Thus it was explained that the use of the expression “physically managing data” or “physical storage constraints” were not inconsistent with the “automatic” aspects of the present invention conducted without user involvement. As will be noted, both claims 1 and 18 have been amended to specifically recite the automatic operation of the present method without user involvement and in addition the word “physical” has been eliminated from the claims of the present application in order to avoid any confusion with respect thereto.

During the interview, Mr. Alam, although acknowledging the proposed changes to the claims, raised the argument that because the final product achieved in both the present invention and the prior art are substantially the same, whether the method is done with user involvement or whether the method is done automatically would not appear to make any difference since the resulting product is the same. However, it was pointed out to the Examiner that the claims of the present application are directed to a management method and not to a final product and thus, when considering the method claim, the Patent Office should give consideration to the automatic operation of the method which should represent an advancement over an operation involving user participation. Thus, the Examiner is respectfully requested to consider the changes made to both claims 1 and 18 as representing a patentable distinction over the prior art relied upon by the Examiner and accordingly entry thereof as placing the present application into condition for allowance is respectfully requested.

In the event that the proposed Amendment does not place the present application into condition for allowance, entry thereof is respectfully requested as placing the present application into better condition for appeal.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Reg. No. at the

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telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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